

REMARKS

The Office Action of November 16, 2007, and the references cited therein have been carefully considered. The indication that claims 2-4, 6, and 7 contain allowable subject matter and would be allowable if rewritten to overcome the formal rejections of same and to include all of the limitations of the claim or claims from which they depend has been noted with appreciation.

In this Amendment, the specification has been amended to correct noted informalities and to provide section headings as required by the Examiner, and the claims have been amended to overcome the Examiners formal rejections of same and to place the application in condition for allowance. In particular, each of claims 2, 6 and 7 has been rewritten in independent form to incorporate the limitations of claim 1 from which they each previously depended, claims 2-4, 6 and 7 have been amended to provide proper antecedent basis, where necessary, for the thermostat and the load dependent temperature, claims 4 and 7 have been amended to recite the valve controlling the flow, and claims 1 and 5 have been cancelled.

In view of the above amendments, it is submitted that the rejection of all of the claims under 35 U.S.C. §112, second paragraph, as being indefinite has been overcome and should be withdrawn.

Moreover, in view of the above amendments and the indication that claims 2-4, 6 and 7 contain allowable subject matter, it is submitted that all of the pending claims are now in condition for allowance. Such action and the passing of this application to issue with claims 2-4, 6 and 7 are respectfully requested.

If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, the examiner is invited to telephone undersigned counsel to arrange for such an interview.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: 

Norman N. Kunitz

Registration No. 20,586

FITCH, EVEN, TABIN & FLANNERY
One Lafayette Centre, Suite 750S
1120 - 20th Street, NW
Washington, DC 20036
Telephone: (202) 419-7000
Telecopier: (202) 419 -7007